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8 ATTORNEY FOR DEFENDANT
9 CHARLEY STEPHENSON

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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CR.-S-04-0406
11 PLAINTIFF,)
12 v.)
13 CHARLEY STEPHENSON, et al.,)
14)
15 DEFENDANTS)
16 _____)

STIPULATION AND ORDER
TO CONTINUE STATUS CONFERENCE
TO MONDAY JUNE 5, 2006, AT
9:30 A.M.

17 Plaintiff United States of America, by its counsel, Assistant United States Attorney, Ms.
18 KYMBERLY SMITH, and defendants JASON WILLIAM THIBEAU by his counsel, Ms. Mary
19 French, and CHARLEY STEPHENSON, by his counsel, James R. Greiner, hereby agree and
20 stipulate that the status conference set for Monday, April 24, 2006, at 9:30 a.m., in Courtroom #1
21 before the Honorable District Court Judge FRANK C. DAMRELL, Jr., can be continued to
22 Monday, June 5, 2006, at 9:30 a.m., in Courtroom #1, before the Honorable District Court Judge
23 FRANK C. DAMRELL, Jr.

24 The reason for the extension of time is as follows: The parties have been diligently working
25 towards a plea agreement in this case. The government had proposed a plea agreement that the
26 defendants reviewed. To ensure the plea agreement was accurate and correct the defendants

1 requested, and the government recently has provided, the drug laboratory results regarding the
2 weights of the drugs involved in this case. This is a critical part of the analysis for all parties as it
3 specifically relates to calculations, including those of the advisory guidelines, which materially effect
4 the negotiations in this case. Once again, the parties are involved in good faith negotiations working
5 diligently toward a resolution in the matter. The government has no objection to the requested
6 continuance.

7 All parties agree that time under both the Speedy Trial Act and under the Sixth Amendment
8 of the United States Constitution has been excluded up to and including Monday, April 24, 2006, be
9 due to investigation by all parties, and preparation of all parties under local code T-4 and under Title
10 18 U.S.C. section 3161(h)(8)(B)(iv). All parties agree and stipulate that this Court can find that time
11 under both, the Speedy Trial Act (Title 18 U.S.C. section 3161) and under the Sixth Amendment of
12 the United States Constitution, continue to be excluded under both local code T-4 and Title 18
13 U.S.C. section 3161(h)(8)(B)(iv) due to investigation by all parties and preparation of all parties.

14 Counsel for defendant Stephenson has called and talked with counsel for the government,
15 Ms. Smith, and co-defense counsel, Ms. French, and all of the dates and times are agreeable with
16 both counsel and both counsel gave authority for counsel to sign on their behalf. Counsel for the
17 defense has cleared the date and time with the Court's Courtroom Deputy.

18 Respectfully submitted,

19 MC GREGOR W. SCOTT
20 UNITED STATES ATTORNEY

21 DATED: 4-21-06

22 /s/ KYMBERLY SMITH
23 With telephone authorization by Ms. Smith
24 KYMBERLY SMITH
25 ASSISTANT UNITED STATES ATTORNEY
26 ATTORNEY FOR THE PLAINTIFF

27 DATED: 4-21-06

28 /s/ MARY FRENCH by JAMES R. GREINER
With telephone authorization by Ms. French
MARY FRENCH
ATTORNEY FOR DEFENDANT THIBEAU

1
2 DATED: 4-21-06

/s/ JAMES R. GREINER

JAMES R. GREINER
ATTORNEY FOR DEFENDANT STEPHENSON

ORDER

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

9 || DATED: APRIL, 21, 2006.

/s/ Frank C. Damrell Jr.

**HONORABLE FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT COURT JUDGE**